

22264 U.S. PTO  
 10/667821  
  
 09/22/03

## UTILITY PATENT APPLICATION TRANSMITTAL

*Submit an original and a duplicate for fee processing  
(Only for new nonprovisional applications under 37 CFR 1.53(b))*

**ADDRESS TO:**

**Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

Attorney Docket No. 97,033-U1

First Named Inventor Andrew Thurkauf et.al.  
Express Mail No. EV33558395US

**APPLICATION ELEMENTS**

1.  Transmittal Form with Fee
2.  Specification (including claims and abstract) [Total Pages 26]
3.  Drawings [Total Sheets ]
4.  Oath or Declaration [Total Pages 2]
  - a.  Newly executed
  - b.  Copy from prior application  
**[Note Boxes 5 and 18 below]**
    - i.  Deletion of Inventor(s) Signed statement attached deleting inventor(s) named in the prior application
5.  Incorporation by Reference: The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6.  Computer Code Listing (See 1.96)
  - a.  Microfiche Appendix
  - b.  CD-Rom (in duplicate, with separate transmittal)
7.  Nucleotide and/or Amino Acid Sequence Submission
  - a.  Computer Readable Copy
  - b.  Paper Copy
  - c.  Statement verifying above copies
8.  Small Entity Status
  - is claimed
  - Statement filed in prior application; status still proper and desired
  - is no longer claimed.

18.  This is a CONTINUING APPLICATION. Please note the following:

- a.  This is a  Continuation  Divisional  Continuation-in-part of prior application SN. 10/186,235 filed June 28, 2002.
- b.  Amend the specification by inserting before the first line the sentence:  
This is a  continuation  divisional  continuation-in-part of application Serial No. 10/186,235, filed June 28, 2002, which is a continuation of Serial No. 09/736,566, filed December 13, 2000, now U.S. Patent 6,426,347, which is a continuation of Serial No. 09/228,106, now U.S. Patent 6,172,229, filed January 11, 1999, which is a continuation of application Serial No. 08/791,673, filed January 30, 1997, U.S. Patent No. 5,859,246.
- c.  The prior application is assigned of record to Neurogen Corporation.

11324 U.S.  
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**APPLICATION FEES**

BASIC FEE				\$ 750.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total Claims	35 -20=	15	x \$18.00	\$ 270.00
Independent Claims	5 - 3=	2	x \$80.00	\$ 160.00
<input type="checkbox"/> Multiple Dependent Claims(s) if applicable			+\$270.00	\$ -0-
			Total of above calculations =	\$ 1,180.00
			Reduction by 50% for filing by small entity =	\$( )
<input type="checkbox"/> Assignment fee if applicable			+ \$40.00	\$
			TOTAL =	\$ 1,180.00

19.  Please charge my Deposit Account No. 13-2490 in the amount of \$

20.  A check in the amount of \$1,180.00 is enclosed.

21. The Commissioner is hereby authorized to credit overpayments or charge any additional fees of the following types to Deposit Account No. 13-2490:

- a.  Fees required under 37 CFR 1.16.
- b.  Fees required under 37 CFR 1.17.
- c.  Fees required under 37 CFR 1.18.

22. The Commissioner is hereby generally authorized under 37 CFR 1.136(a)(3) to treat any future reply in this or any related application filed pursuant to 37 CFR 1.53 requiring an extension of time as incorporating a request therefor, and the Commissioner is hereby specifically authorized to charge Deposit Account No. 13-2490 for any fee that may be due in connection with such a request for an extension of time.

**23. CERTIFICATE OF MAILING**

I hereby certify that, under 37 CFR § 1.10, I directed that the correspondence identified above be deposited with the United States Postal Service as "Express Mail Post Office to Addressee," addressed to the Asst. Commissioner for Patents, Box Patent Application, Washington, DC 20231, on the date indicated below.

**24. USPTO CUSTOMER NUMBER**

**20306**

PATENT TRADEMARK OFFICE

**McDonnell Boehnen Hulbert & Berghoff**

**25. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name	Steven J. Sarussi
Reg. No.	32,784
Signature	
Date	September 22, 2003

UTIL (Rev. 11/21/00)